

MEMORANDUM OF LAW

DATE: May 17, 1993

TO: Councilmember John Hartley

FROM: City Attorney

SUBJECT: Councilmember's Duty to Devote Full Time to Office

This is in response to your memorandum dated April 6, 1993, addressed to City Attorney John W. Witt, which we received on April 23. You ask on behalf of a constituent whether a person could serve on the City Council and practice law on a part-time basis.

Charter section 12 requires Councilmembers to "devote full time to the duties of their office and not engage in any outside employment, trade, business or profession which interferes or conflicts with those duties."

Therefore, a person could practice law part-time and still serve on the City Council only if the law practice did not interfere with, or conflict with the duties of the Council office. We are unable to answer definitively whether a part-time law practice would interfere or conflict absent sufficient facts.

JOHN W. WITT, City Attorney

By

Cristie C. McGuire

Deputy City Attorney

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